

serve this country abroad. Yes, it is true that there are winners and losers in any tax code, but this inequity was unintended. Enacting this narrowly tailored remedy to grant equal tax relief to the members of our Uniformed and Foreign Services restores fairness and consistency to our increasingly complex Tax Code.

I would like to thank Senator BAUCUS and the chairman of the Finance Committee, Senator GRASSLEY, for their superb effort on behalf of our soldiers, sailors, airmen, marines, and Foreign Service officers. As I stated earlier, the provisions in this amendment are issues we have needed to fix for a long time. Let's get it passed this year and finally enacted into law.

Mr. GRAHAM of South Carolina. I rise today to tell you about an urgent issue in my State that could benefit from the same relief this bill provides for Arkansas schools. The relief is known as "advance refunding."

Just like homeowners, municipally owned utilities are able to refinance or "refund" their bonds. But the Tax Code permits them to do this only once. Imagine if you had refinanced your home at 7.5 percent a few years ago. Having taken that one opportunity, now that rates are at 5.15 percent, you would not be permitted to do another refinancing. You would miss out on this opportunity to refinance.

There is a utility in my State that finds itself just in this position and all of the utility's consumers suffer the consequences. Without an additional advance refunding, its customers face significant rate increases as the utility struggles to remain competitive in the restructured marketplace while paying off debt it incurred to bring electricity to many customers in my State. I want my constituents to enjoy stable rates just as I know yours do, Mr. Chairman. I ask if you would work with me in this conference to provide additional advance refunding relief to meet this urgent need in my State.

Mr. GRASSLEY. I agree that an additional advance refunding opportunity would be helpful and practical in your situation and in others. I will work with you in conference to see if there is an opportunity to accommodate you.

Mr. BAUCUS. Mr. President, tomorrow, an amendment will be offered—I am not sure by whom; it may be Senator NICKLES from Oklahoma—which accelerates the dividend exclusion provisions considerably beyond the provisions that are in the Finance Committee bill. Our understanding is it is a 50 percent exclusion in the first year, 2003, and 100 percent up through 2006, and after that the provision will be sunsetted.

I will make a couple of comments because we will not have time to comment on it tomorrow at any length. One is that this is a significant increase from the committee bill, which costs \$80 billion. My understanding is that this amendment will cost in the neighborhood of \$124 billion. How is the

\$40 billion difference going to be paid for?

Clearly, there is going to have to be cutting back on other tax cuts—whether it is the marriage penalty or whatever—to bring that to the attention of Members who may believe it is better to have a child tax credit or a marriage penalty and whatnot.

And I have not seen the amendment, so I am not exactly sure of the provisions, but from all indications, it will eliminate the provisions in the President's dividend exclusion, which will require that before a dividend can be paid, a company would have to pay income taxes in the prior year. If that provision is eliminated, that is going to mean that we are not only ending double taxation of dividends, in many cases we will be ending single taxation of dividends, which, in a sense, will mean dividends will be tax-free. All American wages will be taxed, interest income will be taxed, and other ordinary income is going to be taxed. But if a company did not pay taxes in the prior year, then the company will be basically giving dividends to shareholders, and there will be no tax on them, not at the individual level or the corporate level. That, I think, is a gross miscarriage of justice.

For that additional reason, I hope the Senate does not adopt that provision when we vote on it tomorrow.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### MORNING BUSINESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMPLYING WITH PL 93-148

Mr. STEVENS. Mr. President, I ask unanimous consent that the letter I received today from President George W. Bush be printed in the RECORD. The letter was sent to me, as President pro tempore of the Senate, in compliance with the war powers resolution, Public Law 93-148.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,  
Washington, DC, May 14, 2003.

Hon. TED STEVENS,  
President pro tempore of the Senate Washington, DC.

DEAR MR. PRESIDENT In my report to the Congress of November 15, 2002, I provided information regarding the continued deployment of combat-equipped U.S. military personnel as the U.S. contribution to the NATO-led international security force in Kosovo (KFOR) and to other countries in the region in support of that force. I am providing this supplemental report prepared by my Administration, consistent with the War Powers Resolution (Public Law 93-148), to help ensure that the Congress is kept fully informed on continued U.S. contributions in support of peacekeeping efforts in Kosovo.

As noted in previous reports, the U.N. Security Council authorized member states to establish KFOR in U.N. Security Council Resolution 1244 of June 10, 1999. The mission of KFOR is to provide an international security presence in order to deter renewed hostilities; verify and, if necessary, enforce the terms of the Military Technical Agreement between NATO and the Federal Republic of Yugoslavia; enforce the terms of the Undertaking on Demilitarization and Transformation of the former Kosovo Liberation Army; provide day-to-day operational direction to the Kosovo Protection Corps; and maintain a safe and secure environment to facilitate the work of the U.N. Interim Administration Mission in Kosovo (UNMIK).

Currently, the U.S. contribution to KFOR in Kosovo is about 2,250 U.S. military personnel, or approximately 9 percent of KFOR's total strength. Additionally, U.S. military personnel occasionally operate from Macedonia, Albania, and Greece in support of KFOR operations. Nineteen non-NATO contributing countries also participate with NATO forces in providing military personnel and other support personnel to KFOR.

The U.S. forces are assigned to a sector principally centered around Gnjilane in the eastern region of Kosovo. For U.S. KFOR forces, as for KFOR generally, maintaining a safe and secure environment remains the primary military task. The KFOR forces operate under NATO command and control and rules of engagement. The KFOR coordinates with and supports UNMIK at most levels, provides a security presence in towns, villages, and the country-side, and organizes checkpoints and patrols in key areas to provide security, protect minorities, resolve disputes, and help instill in the community a feeling of confidence.

The UNMIK continues to transfer non-reserved competencies under the Constitutional Framework document to the Kosovar Provisional Institutions of Self-government (PISG). The PISG includes the President, Prime Minister, and Kosovo Assembly, and has been in place since March 2002. Municipal elections were successfully held for a second time in October 2002.

NATO continues formally to review KFOR's mission at 6-month intervals. These reviews provide a basis for assessing current force levels, future requirements, force structure, force reductions, and the eventual withdrawal of KFOR. NATO has adopted the Joint Operations Area plan to regionalize and rationalize its force structure in the Balkans. The KFOR has transferred full responsibility for public safety and policing to the UNMIK international and local police forces throughout Kosovo except in the area of Mitrovica, where the responsibility is shared due to security concerns. The UNMIK international police and local police forces have also begun to assume responsibility for guarding patrimonial sites and established border-crossing checkpoints.

The continued deployment of U.S. forces has been undertaken pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief Executive. I appreciate the continued support of the Congress in these actions.

Sincerely,

GEORGE W. BUSH.

#### DEVELOPING ALASKA OIL

Mr. STEVENS. Mr. President, my colleague, Senator MURKOWSKI, recently wrote an article entitled "Developing Alaska Oil Is Good for the Global Environment," which was published on May 4, 2003 in the Anchorage Daily News.

Senator MURKOWSKI made extremely astute observations and concisely detailed the hard truths of the United States' current energy condition.

I ask unanimous consent to have printed in the RECORD Senator MURKOWSKI's article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Anchorage Daily News, May 4, 2003]

DEVELOPING ALASKA OIL IS GOOD FOR GLOBAL ENVIRONMENT

(By Lisa Murkowski)

As Congress continues to debate whether to permit some limited oil development on Alaska's Arctic coastal plain, we must ask whether America is doing everything it can to protect its energy security in the future.

As a new Senator from Alaska, I may shock some by acknowledging some hard truths. First, this nation needs to do a far better job of energy conservation and needs to develop innovative energy technologies to meet our growing need for clean and efficient fuels.

For example, overcoming the technical hurdles of hydrogen-powered vehicles could be very beneficial in meeting our future energy needs. Second, opening a tiny part of the Arctic National Wildlife Refuge by itself will not solve all our energy woes, as it will take time to develop the area's potential. But ignoring the area's huge energy potential equates to hoping that foreign sources will supply our winter heating oil and summer gasoline needs at reasonable prices into the distant future. That's like students avoiding studying for finals in hopes that a snowstorm will force schools to close in May.

It also ignores the limitations of the refining process for crude oil and the growth in demand for aviation fuel, diesel, plastics and other items made from oil. The truth, according to the U.S. Energy Information Agency, is that there's a 50-50 chance the Arctic coastal plain holds about 10 billion barrels of economically recoverable oil—enough to produce about 1 million barrels a day for 30 years.

Rather than some inconsequential amount, such a find would be the largest oil field discovered in the world in the last three decades and would equal nearly one-fifth of America's domestic production by 2010.

Equally important, at current prices, it represents \$15 billion a year that we won't have to spend on buying oil overseas, in some cases enriching dictators who wish us ill. Producing more energy at home would strengthen our economy by producing jobs and tax revenues here. It would foster our national security in the midterm by lessening the potential for America to be subject to blackmail from foreign oil boycotts.

And allowing more oil development in Alaska would honor the promises Congress thrice made to my state, first at our statehood, later in 1960 when President Eisenhower created the Arctic National Wildlife Range and most recently in 1980 when 131 million acres of Alaska was withdrawn as parks and refuges. Each decision specifically permitted oil development to take place on the coastal plain, unless such development would harm Alaska's environment. And the truth is that tapping into a tiny percentage of ANWR's vast acreage won't.

According to the recent environmental impact statement for reauthorization of the trans-Alaska oil pipeline, less than 1 percent of the vegetation of the Arctic coastal plain likely will be impacted by future oil development. Safeguards in congressional legisla-

tion will guarantee that no more than 2,000 acres of the 40 million acres of coastal plain will be touched.

Directional drilling underground allows oil wells to be placed up to seven miles apart, preventing disturbance to the animals that breed and graze in between. New procedures on seismic work prevent ocean noise when bowhead whales are passing.

Some worry about the impacts on calving caribou. But Alaska's experience at the nearby Prudhoe Bay oil field, where the caribou herd has grown sixfold, shows that caribou can not only tolerate but flourish in oil fields. That is especially the case since restrictions will prevent any drilling noise during the two months when the caribou might be present.

Developing oil domestically actually is good for the global environment since it reduces the importation of oil on foreign-flagged, single-hulled tankers, requiring the oil industry to meet America's stringent environmental safeguards.

Alaska's beauty certainly is not threatened as 192 million acres of Alaska remain protected—nearly the size of all East Coast states combined. The truth is that America needs to both conserve and produce more energy.

If we can, as some have argued, reduce our foreign reliance on oil by 1 million barrels per day by increased conservation, and also increase production from ANWR by adding a million barrels, the 2 million barrels resulting from this two-pronged approach would substantially improve U.S. energy policy.

The government predicts that U.S. oil production will continue its steady decline unless we act now. By 2015 America will be producing just 30 percent of the oil we consume daily. We've wasted a quarter century on this debate.

Let's help ourselves by developing our own oil reserves now.

#### LEADING THE FIGHT AGAINST GLOBAL HIV/AIDS

Mr. FRIST. Mr. President, the size of HIV is about 100 nanometers. That is tiny, microscopic, and invisible to the naked eye. A nanometer is one-billionth of a meter. If you divide 3 feet, into 1 billion parts, and take 100 of those parts, that is the size of HIV. That is 2,000 times smaller than a human hair.

Yet that little virus casts a long shadow of death. Reaching across oceans sweeping across continents, burrowing deep into even the most remote villages on Earth, AIDS—the disease that virus causes—has killed 23 million people since it was discovered in 1981. Forty two million people are living with the HIV virus right now. And another 60 million people could die by 2020.

Those are daunting statistics. They paint a dark landscape. But they do not reveal the individual rays of light that have been dimmed by HIV/AIDS. The loving mother who left her child to fend on the streets. The caring husband who left his wife to support their family. The innocent newborn who left the womb facing not a bright future, but an early death.

Nowhere is there a greater threat to life today than in the AIDS-ravaged parts of the world: Africa, the Caribbean, and soon China, India, and Rus-

sia. Millions of lives have already been lost. Millions of more lives will be lost unless we act. But if we do act, if we summon the moral courage to shine light into the long shadow of this little virus, we will change the course of history.

HIV/AIDS has a tremendous impact on a society and an economy. In Zimbabwe, AIDS will wipe out 20 percent of its workforce by 2005. Kenya has reported in recent years as many as 75 percent of the deaths in law enforcement are AIDS-related. In countries with HIV prevalence rates of 20 percent or higher, economic growth, GDP, drops by an average of 2.6 percentage points per year. Economies are shrinking solely because of this little virus. That, my friends, causes hopelessness to prevail.

But we are still losing the battle against the virus. The problem is getting worse, not better. The virus is spreading like wildfire. By 2010, China will have 10 to 15 million cases of HIV/AIDS, and India is likely to have 20 to 25 million cases—the highest estimate for any country. Every 10 seconds brings 1 AIDS-related death and 2 new HIV infections. For every 1 person who has died over the last 20 years, 2 more will die in the next 20 years.

We have a moral duty to lead the world in this fight, . . . to devote more resources and manage those resources so they get where they need go and help the people who need help.

At the end of the week the Senate will take up H.R. 1298 authorizing the President's emergency plan to fight AIDS. The House passed this bill with overwhelming support, 375 to 41. All but one of the House Democrats voted for the bipartisan compromise. This bill is not perfect. But we must not let the perfect be the enemy of the good. The President will sign this bill as it currently stands.

We will defeat HIV/AIDS. As a Senator, as a doctor, as a medical missionary, I have committed to this cause. The President has committed to this cause both in word and deed.

History will judge whether a world led by America stood by and let transpire one of the greatest destructions of human life in recorded history—or performed one of its most heroic rescues. President Bush has opened the door to that latter possibility. We must pass this legislation now and get this program established without further delay.

The President's Global AIDS Initiative is a rare opportunity to enact legislation that will save hundreds of thousands—millions—of lives. This is our moment.

#### LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator Kennedy and I introduced the Local Law Enforcement Act, a bill that